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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,185

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John De Treville

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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT

PAPER NUMBER

2443

MAIL DATE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/671,185	<b>Applicant(s)</b> TREVILLE, JOHN DE	
	<b>Examiner</b> ASGHAR BILGRAMI	<b>Art Unit</b> 2443	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1,3,5-21 and 24-27 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-21 and 24-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 5-21, 24-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Holtmanns et al (U.S. PUB NO. 2005/0086061A1) and Heard et al (U.S. 7,437,752 B2).

3. As per claim 1, 10 & 19 Holtmanns disclosed a policy engine system in a computing cell phone for controlling automated responses (paragraph.35) from the computing cell phone to a requesting computing system, the controlled responses being based on a user policy specified by the user of the computing cell phone (paragraph.13), the policy engine system comprising: a database storing the user policy (paragraphs.33 & 38); an apply policy module applying parameters of the user policy to information transfer requests from the requesting computing system and filtering stored response information to create a filtered response for the requesting computing system based on the parameters of the user policy; and a delegate response module sending the filtered response along with a use policy to the requesting computing system (paragraphs. 41-46), wherein sending filtered responses comprises: sending an

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unqualified response based on a first response level where the unqualified response is complete response having no restrictions on the use of the transferred information (Paragraphs. 90-94); and sending a qualified response based on the second response level where the qualified response is a partial response with restriction on the use of the transferred information (paragraphs. 77& 78). However Holtmanns did not explicitly disclose sending no response based on a third response level. In the same filed of endeavor (co.3, lines 56-65) Heard disclosed sending no response based on a third response level (col.12, lines 60-67 & col.13, lines 1-14).

It would have been obvious to one in the ordinary skill in the art the time the invention was made to have incorporated sending no response based on third level response as disclosed by Heard in the policy engine system disclosed by Holtmanns in order to make the system more secure by handling security policies with respect to mobile devices.

1. As per claims 11 & 20 Holtmans-Heard disclosed the system of claim 10 wherein the information transfer request is a send request to send information to the computing cell phone and: the apply policy module in response to the send request creates an authorization for the requesting computing system to send information to the computing cell phone; and the delegate response module sends the authorization to the requesting computing system (Holtmanns paragraphs. 41-46).

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2. As per claims 3, 12 & 21 Holtmans-Heard disclosed the system of claim 10, wherein the use policy contain rules for use of the filtered response by the requesting computing system (Holtmanns paragraph.15).
3. As per claims 13 & 22 Holtmans-Heard disclosed the system of claim 10, wherein the use policy contain rules for distribution of the filtered response by the requesting computing system to other computing systems (paragraphs.15 & 16).
4. As per claim 5 Holtmans-Heard disclosed the method of claim 4, wherein the act of delegating a response further comprises sending no response based on a third response level (Heard co.3, lines 56-65, col.12, lines 60-67 & col.13, lines 1-14).
5. As per claims 6 & 24 Holtmans-Heard disclosed the method of claim 4, wherein the act of sending a qualified response comprises: detecting if use restrictions are to be included with a response sent to the requesting computing system; and attaching a restricted use policy to the response sent to the requesting computing system, the use policy controlling use and further distribution of the response by the requesting computing system (Holtmanns paragraphs. 41-46).
6. As per claims 7, 15 & 25 Holtmans-Heard disclosed the system of claim 10, wherein the apply policy module comprises: retrieving policy parameters of the user policy from the database (Holtmanns paragrpash.33 & 38); a compare module

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comparing the policy parameters to request parameters in the request from the requesting computing system; an allocate module generating the filtered response based on a match between policy parameters and request parameters; and a compile module building a filtered response and a response level to pass to the delegate response module (Holtmanns paragraphs. 41-46).

7. As per claims 8 & 26 Holtmans-Heard disclosed the method of claim 1 wherein the response is authorization for the requesting computing system to send information to the user's computing system (paragraphs. 41-46).

8. As per claims 9, 16 & 27 t Holtmans-Heard disclosed the system of claim 15, wherein the delegate response module comprises: a test module detecting whether a use policy is to be included with the filtered response, the use policy controlling use of the filtered response by the requesting computing system; and a send module sending the filtered response with the use policy if the test module detects the use policy is to be included and sending only the filtered response if the test module detects the use policy is not to be included (Holtmanns paragraphs. 41-46).

9. As per claim 14 Holtmans-Heard disclosed the system of claim 10 further comprising: a set policy module controlled by the user for entering and updating user policy rules and response information (Holtmanns paragraph. 68).

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10. As per claim 17 Holtmans-Heard disclosed the system of claim 10, wherein the computing cell phone is within the communication domain of the requesting computing system and is being repeatedly polled by requests from the requesting computing system (Holtmans paragraph.54).

11. As per claim 18 Holtmans-Heard disclosed the system of claim 10 further comprising: a test module detecting whether the apply policy module created a filtered response; a query module for displaying the information request and identity of requesting computing system to the user if a filtered response was not created; and an update module receiving new response information and new user policy rules from the user, storing the new response information and updating the user policy rules in the database (Holtmans paragraphs. 41-46).

### ***Response to Arguments***

Applicant's arguments with respect to amended claims 1, 3, 5-21, 24-27 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. B./

Examiner, Art Unit 2443

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2454